

J KEVIN ELLIS  
P O BOX 1616  
MORGANTOWN, WV 26507-1616

BOOK **676** PAGE **01**

**DECLARATION OF OIL AND GAS NOTICE**

(Tax Map 17, Webster District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY

CONSOL PENNSYLVANIA COAL COMPANY LLC

RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY

McELROY COAL COMPANY

CNX LAND RESOURCES INC.

**C/O LEATHERWOOD, INC.  
1000 CONSOL ENERGY DRIVE  
CANONSBURG, PA 15317-6506**

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by D. E. MCCracken, its ASST. MANAGER, by authority duly given.

CONRHEIN COAL COMPANY  
a Pennsylvania corporation:

By: [Signature]

Its: ASSISTANT MANAGER

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by ROBERT P. KING, its VICE PRESIDENT, by authority duly given.

CONSOLIDATION COAL COMPANY

a Delaware corporation:

By: [Signature]

Its: Vice President

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by ROBERT P. KING, its VICE PRESIDENT, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC

a Delaware limited liability company:

By: [Signature]

Its: Vice President

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by D. P. KRUPPEN, its VICE PRESIDENT, by authority duly given.

RESERVE COAL PROPERTIES COMPANY

a Delaware corporation:

By: [Signature]

Its: VICE PRESIDENT

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 22 day of DECEMBER, 2008, by CHARLES T. SHAYNAK, its VICE PRESIDENT, by authority duly given.

MCELROY COAL COMPANY

a Delaware corporation:

By: [Signature]

Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by D. R. LICCEACKEN, its VICE PRESIDENT, by authority duly given.

CNX LAND RESOURCES INC.  
a Delaware corporation:

By: [Signature]  
Its: VICE PRESIDENT

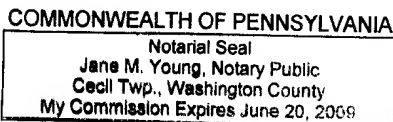
**NOTE:** PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. R. LICCEACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASSISTANT MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

(SEAL)

Notary Public



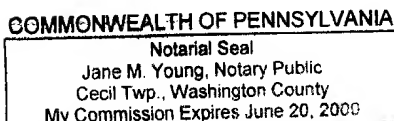
My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

(SEAL)

Notary Public



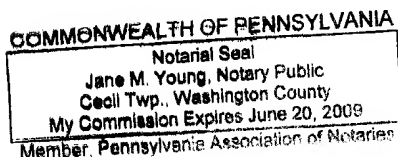
My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KILG, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

(SEAL)

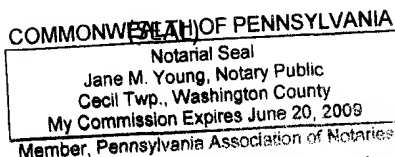


Jane M. Young  
Notary Public  
My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. R. LICHTACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

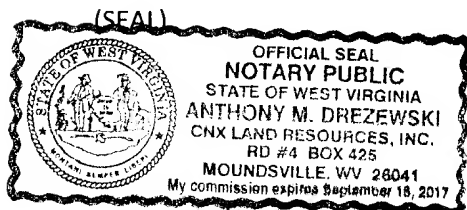


Jane M. Young  
Notary Public  
My Commission expires JUNE 20, 2009

~~COMMONWEALTH OF PENNSYLVANIA~~  
STATE OF WEST VIRGINIA

COUNTY OF MARSHALL

Before me, ANTHONY M. DREZEWSKI, a Notary Public, on this day personally appeared CHARLES T. SNYDER, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 22 day of DECEMBER, 2008.



Anthony M. Drezewski  
Notary Public  
My Commission expires September 18, 2017

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

BOOK 676 PAGE 05

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. P. ROOPER, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Jane M. Young, Notary Public  
Cecil Twp., Washington County  
My Commission Expires June 20, 2009  
Member, Pennsylvania Association of Notaries

Jane M. Young  
Notary Public

My Commission expires JUNE 20, 2009

JAN PEST  
MARSHALL County 10:32:14 AM  
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This Document Prepared By:

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**EXHIBIT A - SURFACE TRACTS (BAILEY MINE)**  
**Tax Map 17, Webster District, Marshall County, West Virginia**

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
17	19	HENRY	ARNOLD F	RR 4 BOX 201	CAMERON	WV	26033	19.517 WAYNESBURG ROAD 1996 MOBILE HOME	596/617
17	19.1	FITZSIMMONS	JUANITA - LIFE	RR 4 BOX 200	CAMERON	WV	26033	15.46 A WAYNESBURG ROAD & O&G	649/565
17	20	FITZSIMMONS	JUANITA - LIFE	RR 4 BOX 200	CAMERON	WV	26033	18.41 BEELERS STATION & O&G	649/565
17	20.1	HENRY	ARNOLD F	RR 4 BOX 201	CAMERON	WV	26033	7.896 BEELERS STATION	596/617
17	21	MICKEY	EARL LEO	RR 4 BOX 384	CAMERON	WV	26033	58.716 BEELERS STATION	380/397
17	22	MORRIS	ANNIS G & DOROTHY ET AL	RR 4 BOX 386	CAMERON	WV	26033	3.50 WAYNESBURG ROAD 1988 MOBILE HOME	642/540
17	23	MORRIS	ANNIS G ET UX ET AL	RR 4 BOX 386	CAMERON	WV	26033	21 1/2 A WAYNESBURG ROAD 1972 MOBILE	642/542
17	24	FITZSIMMONS	ROBERT C	RR 4 BOX 199	CAMERON	WV	26033	140.21 M GRAVE CREEK & O&G 1969 MOBILE HOME	562/467
17	25	ALLEN	CURTIS H ET UX	RR 4 BOX 390	CAMERON	WV	26033	4.293 A GRAVE CREEK & O&G	585/430
17	25.1	ALLEN	CURTIS H ET UX	RR 4 BOX 390	CAMERON	WV	26033	2.590 A GRAVE CREEK & O&G	470/33
17	25.2	ALLEN	KENNETH R ET UX	RR 4 BOX 393	CAMERON	WV	26033	2.814 A GRAVE CREEK	469/105
17	25.3	ALLEN	KENNETH R ET UX	RR 4 BOX 393	CAMERON	WV	26033	1.726 A GRAVE CREEK	584/594
17	25.4	MARSH	JAMES E JR ET UX	RR 4 BOX 391	CAMERON	WV	26033	2.815 A GRAVE CREEK	584/692
17	25.5	CLARK	RANDY A & WENDY L	RR 4 BOX 391A	CAMERON	WV	26033	1.936 A GRAVE CREEK	658/56
17	26	ALLEN	CURTIS H ET UX	RR 4 BOX 390	CAMERON	WV	26033	46.137 BEELERS STATION & O&G 1984 MOBILE HOME & HOUSE	585/430
17	26.1	GROVES	OLID W	RR 4 BOX 396	CAMERON	WV	26033	3.267 A BEELERS STATION 1968 MOBILE HOME	606/25
17	27	GROVES	ROBERT J & KARA A	705 GLENWOOD AVE	MOUNDSVILLE	WV	26041	7.95 LOT 1 M GRAVE CREEK	654/495
17	27.1	GROVES	ROBERT J & KARA A	705 GLENWOOD AVE	MOUNDSVILLE	WV	26041	7.95 A LOT 2 M GRAVE CREEK	655/266
17	28	GROVES	OLID W	RR 4 BOX 396	CAMERON	WV	26033	15.92 A LOT 5 M GRAVE CREEK	651/645
17	28.1	GROVES	ROBERT JOHN & KARA A	705 GLENWOOD AVE	MOUNDSVILLE	WV	26041	7.95 A LOT 3 M GRAVE CREEK	651/639
17	28.2	GROVES	JAMES L JR	8 37TH ST	WHEELING	WV	26003	7.95 A LOT 4 M GRAVE CREEK	650/145
17	29	GROVES	ROBERT JOHN	705 GLENWOOD AVE	MOUNDSVILLE	WV	26041	5.40 BEELERS STATION	595/283
17	31	ME CHURCH						1.84 A	UNKNOWN
17	32	FRYE	EMMA C	RR 4 BOX 196	CAMERON	WV	26033	42.587 WAYNESBURG ROAD	WB5/254
17	32.1	HARNESS	ELLEN F	RR 4 BOX 394	CAMERON	WV	26033	32.657 A WAYNESBURG ROAD	469/129
17	33	MONINGER	CALVIN K ET UX	RR 4 BOX 192	CAMERON	WV	26033	33.34 BEELER STATION & O&G	474/394

EXHIBIT A - SURFACE TRACTS (BAILEY MINE)  
Tax Map 17, Webster District, Marshall County, West Virginia

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
17	1	LILLEY	BRIAN E & MICHELLE	1300 NINTH ST	MOUNDSVILLE	WV	26041	71.120 M GRAVE CREEK	633/652
17	2	LILLEY	BRIAN E & MICHELLE	1300 NINTH ST	MOUNDSVILLE	WV	26041	28.159 M GRAVE CREEK	633/652
17	3	DOBBS	STEPHEN P	UNKNOWN				22.91 M GRAVE CREEK & O&G	666/522
17	4	DOBBS	STEPHEN P	UNKNOWN				2 GRAVE CREEK	666/522
17	5	LILLEY	BRIAN E & MICHELLE	1300 NINTH ST	MOUNDSVILLE	WV	26041	66.67 M GRAVE CREEK	633/652
17	6	LILLEY	BRIAN E & MICHELLE	1300 NINTH ST	MOUNDSVILLE	WV	26041	4.42 M GRAVE CREEK	633/652
17	7	DOBBS	STEPHEN P	UNKNOWN				71.509 M GRAVE CREEK & O&G	666/522
17	7.1	PALMER	DORIS L	RR 1 BOX 132A	GLEN EASTON	WV	26039	308 A M GRAVE CREEK	362/446
17	7.2	PALMER	DORIS L	RR 1 BOX 132A	GLEN EASTON	WV	26039	5.183 A M GRAVE CREEK	426/322
17	8	CHAMBERS	ARNOLD ET UX & JAMES W.	RR 1 BOX 129A	GLEN EASTON	WV	26039	7 M GRAVE CREEK & O&G	662/389
17	9	CHAMBERS	ARNOLD ET UX & JAMES W.	RR 1 BOX 129A	GLEN EASTON	WV	26039	44.09 PLEASANT VALLEY & O&G	662/389
17	10	CHAMBERS	ARNOLD ET UX & JAMES W.	RR 1 BOX 129A	GLEN EASTON	WV	26039	49.735 GRAVE CREEK & O&G	662/389
17	10.1	MCCOMBS	CLAYTON M.	UNKNOWN				14012 SQ FT GRAVE CREEK	663/573
17	10.2	MCCOMBS	CLAYTON M.					4.335 A GRAVE CREEK	663/573
17	11	FITZSIMMONS	JUANITA - LIFE	RR 4 BOX 200	CAMERON	WV	26033	30.60 GRAVE CREEK & O&G	649/565
17	12	MAGERS	CHRISTOPHER M	RD 4 BOX 388	CAMERON	WV	26033	3.836 M GRAVE CREEK	625/544
17	12.1	GOLDSBERRY	ROBERT W ET UX	RR 3 BOX 290	MOUNDSVILLE	WV	26041	34.482 A M GRAVE CREEK	547/540
17	12.2	GOLDSBERRY	DAVID W ET UX	RR 3 BOX 367	MOUNDSVILLE	WV	26041	1.287 A MIDDLE GRAVE CREEK	580/247
17	12.3	KULAVIK	PATRICIA L & JOHN M	RR 4 BOX 387E	CAMERON	WV	26033	1.105 A MIDDLE GRAVE CREEK	641/295
17	13	MORRIS	ANNIS G & DOROTHY ET AL	RR 4 BOX 386	CAMERON	WV	26033	18.10 WAYNESBURG ROAD	642/544
17	14	GOLDSBERRY	ROBERT W ET UX	RR 3 BOX 290	MOUNDSVILLE	WV	26041	127.775 A MIDDLE GRAVE CREEK & O&G	449/700
17	14.1	NIEHAUS	RICHARD ET UX	RR 4 BOX 385A	CAMERON	WV	26033	1.16 A M GRAVE CREEK & O&G	519/288
17	14.2	FITZSIMMONS	JUANITA - LIFE	RR 4 BOX 200	CAMERON	WV	26033	20 A M GRAVE CREEK & O&G	649/565
17	15	NIEHAUS	RICHARD ET UX	RR 4 BOX 385A	CAMERON	WV	26033	94.66 M GRAVE CREEK & O&G	519/288
17	16	MICKEY	ROBERT J ET UX	RR 4 BOX 385	CAMERON	WV	26033	PARCEL WAYNESBURG ROAD	519/365
17	17	STROPE	ROGER S ET UX	RR 4 BOX 383	CAMERON	WV	26033	47.96 A WAYNESBURG ROAD & O&G	372/150
17	17.1	MICKEY	ROBERT J ET UX	RR 4 BOX 385	CAMERON	WV	26033	98 A WAYNESBURG ROAD	480/526
17	17.2	ANDERSON	CLIFFORD R ET UX	RR 4 BOX 382A	CAMERON	WV	26033	56 A WAYNESBURG ROAD 1978 MOBILE HOME	472/434
17	17.3	ANDERSON	ALLAN B ET UX	RR 4 BOX 382	CAMERON	WV	26033	50 A WAYNESBURG ROAD	472/434
17	18	EARNEST	GLENN EDGAR EST	RR 4 BOX 403A	CAMERON	WV	26033	36.943 A BEELERS STATION	WB/9/535
17	18.1	TYLER	GLENN R & MARY M	RD 4 BOX 381 A	CAMERON	WV	26033	3.275 A BEELERS STATION	652/444

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JUAN PESTO, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 17th day of December 2008, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 7th day of January 2009 at 10:30 o'clock A.M.

TESTE: *Juan Pest* Clerk.